IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

-

WRIT PETITION NO : 4843 of 1998

Between:

1. Aruna Straw Boards Pvt. Ltd.,

P.B.No.1, Suryaraopalem, Duvva-534 156. West Godavari District,

Rep. Authorised Signatory- Sri Aduri Prasad,
S/o. Prabhakara Rao, Aged 42 yrs.
2. Siris Agro Ltd.,
Mettakur, Yanam-533 464, East Godavari District.
Rep. Manager- Indukuri Gopala Krishnam Raju,
S/o. Suryanarayana Raju, Aged 38 years.
3. Orchem Industries, Unit-2, 298, Pipe Line Road,
Phase-I, I.D.A. Jeedimetla, Hyderabad-500 855.
Rep. Managing Partner- Sri G.Narayana Rao,
S/o. Late Subba Rao, Aged 50 years.

4. Seasons Healthcare Ltd., Sy.No.323,

Batasingaram, Hayathnagar Mandal, R.R.District-501 505,

Rep. by its Managing Director, Sri C.Vijaykumar,
s/o. Sri Venkat Reddy, Aged 30 years.
5. Sree Rayalaseema Paper Mills Ltd., Rep.by its General Manager –

Admn., Sri.M.Mallanna, S/o. Sri Koteswara Rao Aged 59 years,
5-8-112, 2nd Floor,
21st Century Complex, Nampally,
Hyderabad.

..... PETITIONERS

AND

Singareni Collieries Company Ltd., Rep. by its Chairman,
P.B.No. 18, Khairtabad, Mehar Manzil, Red Hills,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the Nature of Writ of Mandamus declaring the action of the Respondent in treating the petitioners as unlinked customers and collecting 20% additional levy on notified prices of coal as per price notification No. 3/96-97, dated 14/03/1997 issued by it is irrational, arbitrary, discriminatory and violative of Article 14 of the Constitution of India and restrain the Respondent-company from collecting 20% additional price from the petitioners and consequently direct refund the amounts already collected.

Counsel for the Petitioners: MR.K.HARINATH

Counsel for the Respondent: MR.K.SRINIVASAMURTHY, STANDING COUNSEL FOR SINGARENI COLLIERIES

The Court made the following:

O R D E R;

There was no representation on behalf of the petitioners on 09-12-2004, consequently the matter has been posted today under the caption “for dismissal”.

Today when the matter is called, neither the petitioners nor his counsel is present and there is no representation on his behalf. Hence, the writ petition is dismissed for default. No costs.

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10-12-2004.

Lrkm.

To

1. The Chairman, Singareni Collieries Company Ltd.,
   P.B.No. 18, Khairtabad, Mehar Manzil, Red Hills,
   Hyderabad.

2. 2CD copies.